

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2018-03

CONTINUING THE IDAHO CRIMINAL JUSTICE COMMISSION

WHEREAS, it is in the best interest of the citizens of the State of Idaho that government promote efficiency and effectiveness of the criminal justice system and, where possible, encourage dialogue among the respective branches of government to achieve this effectiveness and efficiency; and

WHEREAS, combating crime and protecting citizens from criminal depredations is of vital concern to government; and

WHEREAS, communication and cooperation among the various elements of the community of criminal justice professionals is of utmost importance in promoting efficiency and effectiveness; and

WHEREAS, providing policy makers and criminal justice decision makers with accurate information results in better decisions, improving public safety and resulting in more efficient use of public resources; and

WHEREAS, under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968 and the Crime Control Act of 2005, each state is encouraged to develop and implement a competitive mechanism for awarding certain federal grant funds; and

WHEREAS, Idaho's current criminal justice efforts and initiatives require clear strategic planning and continued coordination;

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me by the Constitution and the laws of the State of Idaho do hereby establish the Idaho Criminal Justice Commission.

1. The Idaho Criminal Justice Commission ("Commission") shall consist of 27 members. The Commission members representing the judiciary and the U.S. Attorney for the District of Idaho or designee will serve in a nonvoting, advisory capacity. The Commission's membership shall be as follows:

a. Ex Officio Members:

- i. The Attorney General or designee;*
- ii. The Director of the Idaho Department of Correction;*
- iii. The Director of the Idaho State Police;*
- iv. The Director of the Idaho Department of Juvenile Corrections;*
- v. The Administrator of the Office of Drug Policy;*
- vi. The Executive Director of the Idaho Association of Counties;*
- vii. The Executive Director of the Idaho Commission of Pardons and Parole;*
- viii. The Director of the Idaho Department of Health and Welfare;*
- ix. The Administrative Director of the State Courts;*
- x. The State Appellate Public Defender;*
- xi. The U.S. Attorney for the District of Idaho or designee.*

b. Members Appointed By the Governor:

- i. A representative from the Governor's Office;*
- ii. One (1) representative from the Idaho Prosecuting Attorneys Association;*
- iii. One (1) representative from the Idaho Commission on Hispanic Affairs;*

- iv. *One (1) representative from the Idaho Sheriffs' Association;*
 - v. *One (1) representative from the Idaho Chiefs of Police Association;*
 - vi. *A representative from the Idaho Department of Education;*
 - vii. *Two (2) citizens at large with special consideration given to individuals within disciplines related to the purpose of the Commission; and*
 - viii. *One (1) representative from the Idaho Public Defense Commission.*
 - c. *Members designated by other officials:*
 - i. *Two (2) members from the Idaho Senate as designated by the President Pro Tempore;*
 - ii. *Two (2) members from the Idaho House of Representatives as designated by the speaker;*
 - iii. *Three (3) representatives from the judiciary as designated by the Chief Justice;*
 2. *The purpose of the Commission shall be to provide policy-level direction and to promote efficient and effective use of resources, based on a data- driven approach and evidenced-based practices, for matters related to the State's criminal justice system. To that end it shall:*
 - a. *Identify critical challenges facing the criminal justice system and recommend strategies to resolve them by:*
 - i. *Developing and adopting a three-year strategic plan to be reviewed annually;*
 - ii. *Analyzing the long-range needs of the criminal justice system;*
 - iii. *Assessing the cost-effectiveness, return on investment and performance measures of the use of State and local funds in the criminal justice system;*
 - iv. *Reviewing data and reporting relating to Idaho's implementation of the Justice Reinvestment Act.*
 - b. *Advise and develop recommendations for the Governor and the Legislature, when appropriate, on public policy and strategies to improve the State's criminal justice system.*
 - c. *Review and evaluate criminal justice policies and proposed legislation to determine the impact on the State's adult and juvenile justice systems.*
 - d. *Promote communication among criminal justice professionals and the respective branches of State and local government to improve professionalism, create partnerships, and improve cooperation and coordination at all levels of the criminal justice system.*
 - e. *Research and evaluate evidenced-based practices and use findings to influence decisions on policy.*
3. *All Commission members appointed by the Governor serve at the pleasure of the Governor.*
4. *The Chair of the Commission shall be appointed by the Governor to serve at the pleasure of the Governor. A Vice-Chair shall be selected annually by the members of the Commission. The term of office of the Vice-Chair shall be one (1) year. The Chair and the Vice-Chair may succeed themselves as approved by the Governor.*
5. *The Commission shall receive administrative staff support from the State agencies represented on the Commission.*
6. *The Commission will meet no less than four times annually.*
7. *The Commission may appoint sub-committees consistent with the needs of the Commission to address pertinent issues that merit more in-depth consideration.*
8. *Commission members will serve without compensation or reimbursement for expenses, including related travel and per diem to attend Commission meetings.*

9. *The Grant Review Council (“Council”) shall be established under the Commission and is charged with disbursing federal grant funding appropriated under provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; of the Violence Against Women Act of 1994, and other such federal grant programs as may come within the purview of the Idaho State Police with the overall mission of enhancing the efficiency and effectiveness of the criminal justice system in Idaho.*
- a. *The Council shall consist of thirteen (13) members of the Idaho Criminal Justice Commission for the purpose of assisting the Idaho State Police in its distribution of grant funds. The Council membership shall be as follows:*
 - i. *The Attorney General or his or her designee;*
 - ii. *The Administrative Director of the State Courts;*
 - iii. *The Director of the Idaho Department of Correction;*
 - iv. *The Director of the Idaho State Police;*
 - v. *The Director of the Idaho Department of Juvenile Corrections;*
 - vi. *The Administrator of the Office of Drug Policy;*
 - vii. *One (1) representative from the Office of the Idaho State Appellate Public Defender;*
 - viii. *One (1) representative from the Idaho Prosecuting Attorneys Association;*
 - ix. *The Executive Director of the Idaho Association of Counties;*
 - x. *Two (2) citizens at large;*
 - xi. *One (1) representative from the Idaho Sheriffs’ Association;*
 - xii. *One (1) representative from the Idaho Chiefs of Police Association;*
 - b. *In addition, the Council shall consist of the following seven (7) members appointed by the Chair of the Commission upon recommendation by the Commission:*
 - i. *One (1) representative from the Idaho Council on Domestic Violence;*
 - ii. *One (1) representative from a statewide advocacy agency;*
 - iii. *One (1) prosecuting attorney;*
 - iv. *One (1) representative from the juvenile justice system;*
 - v. *One (1) representative from the misdemeanor probation system;*
 - vi. *One (1) Chief of Police;*
 - vii. *One (1) Sheriff;*
 - c. *The Chair of the Council shall be appointed by vote of the members of the Council and shall serve a term of four (4) years. The Chair will report to the Commission not less than annually on the activities, actions, and decisions of the Council regarding the distribution of grant funds.*
 - d. *Each member of the Council shall be entitled to one vote in the matters before them.*
 - e. *No member may participate in a vote for a direct award of funds in which the member receives personal pecuniary benefits, as defined by Idaho Code. Unless prohibited by federal grant restriction, when a member has authority over an entity or agency which has applied for a direct award of funds, the member shall disclose the relationship to the Council. Upon disclosure of such relationship, the member may vote upon the award unless the member requests to be excused.*
 - f. *Participation by Council members (or their designees) in the scoring and evaluation of the individual grant applications is required. Members not participating in the scoring and evaluation process will not be entitled to vote on the awarding of the application.*
 - g. *Meetings of the Council shall be convened as determined necessary by the Chair of the Council, Chair of the Commission, or the Idaho State Police.*
 - h. *The principal staff functions of the Council shall be located with the Idaho State Police.*
 - i. *Members of the Council will receive travel reimbursement in accordance with Idaho State Police policy and procedures.*

- j. *The Council will establish by-laws in accordance with guidance provided by the Bureau of Justice Assistance and the Idaho State Police, and consistent with the Commission's long-term strategies.*
- k. *Members of the Council will receive training provided by the Idaho State Police and in conjunction with the Commission.*
- l. *Members of the Council will meet at least once a year to assist in strategic planning efforts with representatives from the Idaho State Police. The Council shall develop a strategic funding plan consistent with the statewide strategic planning efforts of the Commission.*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 30th day of January, in the year of our Lord two thousand and eighteen and of the Independence of the United States of America the two hundred forty-second and of the Statehood of Idaho the one hundred twenty-eighth.

C.L. "BUTCH" OTTER
GOVERNOR

LAWRENCE DENNEY
SECRETARY OF STATE